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In re Application of :
ALI, et al. :
U.S. Application No.: 10/527,167 : DECISION ON RENEWED
PCT No.: PCT/GB03/03903 :
Int. Filing Date: 09 September 2003 : PETITION UNDER
Priority Date: 10 September 2002 :
Attorney Docket No.: XA-10290 : 37 CFR 1.47(a)
For: CLAMPING APPARATUS FOR ADJUSTABLE :
STEERING COLUMN FOR A VEHICLE :

This decision is in response to the applicant's "Renewed Petition Under 37 C.F.R. §1.47 (a)" filed 12 February 2007 in the United States Patent and Trademark Office (USPTO) to accept the application without the signature of co-inventor Mohammed Ali.

BACKGROUND

On 12 July 2006, applicant was mailed a decision dismissing applicant's petition under 37 CFR 1.47(a). Applicant was afforded two months to file any request for reconsideration and advised that this time period could be extended pursuant to 37 CFR 1.136(a).

On 12 February 2007, applicant filed the present renewed petition. As authorized, the five-month extension of time fee will be charged to deposit account no. 50-1165. Applicant's response is thus considered timely filed.

DISCUSSION

As detailed in the decision mailed 12 July 2006, a petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(g), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor. Applicant previously satisfied items (1), (3) and (4) above.

With the filing of the present renewed petition and supporting documentation, applicant has satisfied all of the concerns raised in the decision of 12 July 2006 and it is proper to grant applicant's renewed petition at this time. Specifically, applicant has provided an additional statement from Mr. Laurence Barton showing that the inventor was aware of the particular invention at issue when he refused to accept the application papers or sign the declaration. As

such, it is proper to grant applicant's renewed petition at this time.

CONCLUSION

For the reasons discussed above, applicant's renewed petition under 37 CFR 1.47(a) is **GRANTED**.

The application has an international filing date of 09 September 2003 under 35 U.S.C. 363, and will be given a date of **28 December 2005** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

As provided in 37 CFR 1.47(c), a notice of the filing of this application will be forwarded to the non-signing inventors at their last known addresses of record. A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being returned to the DO/EO/US for processing in accordance with this decision.



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